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**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF TEXAS**

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ANTHONY LEON SUMMERS,

Plaintiff,

*versus*

KEN PAXTON, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:20-CV-425

**ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Anthony Leon Summers, a prisoner confined at the Michael Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983.

The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. On May 31, 2023, the magistrate judge recommended dismissing the action without prejudice pursuant to 28 U.S.C. § 1915(g), unless Plaintiff paid the \$402 filing fee within fourteen days. To date, the parties have not filed objections to the report. Plaintiff has not paid the filing fee.

The court received and considered the Report and Recommendation of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the magistrate judge are correct.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the Report and Recommendation of United States Magistrate Judge (#37) is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 29th day of June, 2023.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE